

3605. Adulteration and misbranding of so-called Arabian Blend Coffee. U. S. v. Scandinavian Importing Co. Plea of nolo contendere. Fine, \$25. (F. & D. No. 5670. I. S. No. 23748-e.)

At a stated term of the District Court of the United States for the District of Massachusetts the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in said district court an information against the Scandinavian Importing Co., a corporation, trading under the name of the National Coffee Co. at Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 4, 1913, from the State of Massachusetts into the State of Pennsylvania, of a quantity of so-called Arabian Blend Coffee which was adulterated and misbranded. The product was labeled: (On can) "Arabian Blend Coffee. Roasted and Packed by National Coffee Co., Boston, expressly for Eureka Grocery Co., Kane, Pa. Important: The Health as well as the Comfort and Pleasure of your family depends upon your serving them with pure coffee, such as is contained in this can. This Coffee is specially selected, imported, roasted and packed for us, and we guarantee it will always produce a perfect cup of Coffee, rich in flavor and strength."

From an examination of a sample of the product by the Bureau of Chemistry of this department it appeared that the same consisted of 3 parts Bogota and 2 parts Santos. There was found no evidence of the presence of Arabian coffee in the blend, and if any Arabian coffee was used at all the quantity appeared to have been too small to have had any effect.

Adulteration of the product was alleged in the information for the reason that a substance, to wit, a mixture of coffees other than Arabian, had been substituted in part for Arabian blend coffee, which the article purported to be. Misbranding was alleged for the reason that the statement "Arabian Blend Coffee," borne on the label, was false and misleading in that the article of food was not an Arabian blend coffee, as represented on said label, but was in fact a mixture of coffee other than Arabian; and said article was further misbranded in that the same was labeled and branded "Arabian Blend Coffee," so as to deceive and mislead the purchaser into the belief that it consisted of a mixture in whole or in part of Arabian coffees, whereas in truth and in fact it did not consist of a mixture in whole or in part of Arabian coffees, but did consist of a mixture of coffees which contained no Arabian coffee.

On October 17, 1914, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$25.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., March 23, 1915.